

Residential Tenancies Board

Determination Order

Ref: DR0220-60521, DR0220-60823

In the matter of Emmet Kilduff [Applicant/Respondent Landlord] and Kenneth Joyce [Respondent/Applicant Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a service date of 10th January 2020, and served by the Applicant/Respondent Landlord upon the Respondent/Applicant Tenant in respect of the tenancy of the dwelling at 2 Dunboy, Brighton Road, Foxrock, Dublin 18 is valid.
2. The Respondent/Applicant Tenant and all other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Determination Order.
3. The Respondent/Applicant Tenant shall pay the total sum of €35,361.28 to the Applicant/Respondent Landlord, within 84 days of the date of issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The Respondent/Applicant Tenant shall also pay any further rent and charges outstanding from 19th October 2020, being the date of the adjudication hearing, at the rate of €2,500 per month or proportionate part thereof unless lawfully altered, until such time he vacates and gives up possession of the above dwelling.
5. The Applicant/Respondent Landlord shall refund the entire of the security deposit of €5,000 to the Respondent/Applicant Tenant, upon the Respondent/Applicant Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 10 February 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director